



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
726 MINNESOTA AVENUE
KANSAS CITY, KANSAS 66101

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JAN 06 1988

MEMORANDUM

SUBJECT: Big Woods Auto and Coffman Body Shop,
Iowa RCRA Facilities
Complaint and Compliance Orders

FROM: E. Jane Kloeckner *EJ Kloeckner*
Assistant Regional Counsel

TO: Beth Koesterer
RCRA, Iowa

Attached please find copies of the draft orders on the subject facilities for your review. Although the orders have been edited and I have listed some concerns below, in general the complaints seem adequate and sufficient to support an enforcement action.

1. The penalty for Count II of the Big Woods Auto Order seems high, as pointed out by Jane Werholtz. Do you think it could be reduced or not?

2. A copy of Mr. Coffman's response to the NOV could be included as an Exhibit with the Order. Again, the penalty seems a bit high for Count V of the Coffman Order.

Could you determine whether or not the total storage had exceeded the 6000 kilogram quantity for maximum accumulation by a SQG? If not, perhaps the potential for harm could be considered minor? or the extent of deviation could be lessened?

3. Could we discuss the compliance aspect of both orders. The Big Woods Order requires a closure plan. Since Mr. Cunningham has removed the barrels and our inspector could not document any spillage or leakage (although some barrels were found on their sides), how will Mr. Cunningham determine what areas (if any) need to have soil samples collected for analysis and presumably, then for closure cleanup? Does this case warrant a closure plan, a permit, financial responsibility or what?



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Could you explain to me the potential for harm if some of the waste paint solvents did leak out of the barrels and whether or not the soil may be contaminated at present?

4. The overall purpose of a closure plan seems to be to insure a final cleanup of any hazardous wastes at a TSD facility by completing the final treatment, storage or disposal method, and to make a public record of the location of such storage or disposal of hazardous wastes. In the Big Woods Auto situation, we may not have adequate proof of any remaining hazardous wastes at the facility, which could make it difficult to require closure.

5. Could we check on corporation status of both companies, and we should determine when these companies' began their business.